IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.3598 OF 2004
IN
CRIMINAL WRIT PETITION NO.939 OF 2004

Nitin Laxman Pansare ... ... Applicant/ Petitioner

Vs.

The State of Maharashtra & ors. ..Respondents

Ms.Smita Gawai for Applicant.

Mr.D.S.Mhaispurkar, A.P.P. for the State.

CORAM : H.L.GOKHALE AND SMT.V.K.TAHILRAMANI,JJ.
DATE : 26TH AUGUST 2004

P.C.:

1. Heard Ms.Gawai for the Applicant and Mr.Mhaispurkar, APP for the State.

2. This Application prays for extension of the furlough leave which has been granted to the Applicant by a further period of 15 days from 28th August 2004. The Applicant is a convict undergoing an imprisonment. He is on furlough leave and he has to surrender on or before 28th August 2004. The Applicant's case is that his father is not well and, therefore, he needs time to attend to his father.

3. The Applicant has made an Application to the Deputy Inspector General of Prisons, Western Region Yerwada, Pune, which is received on 21st August 2004. Mr.Mhaispurkar, learned APP, states, on instructions, that since the Application is received only a few days before, it is yet not decided. He further

states that the Application will be decided within one week from today. This being the position, we extend the time to surrender the Applicant until 3rd September 2004, by which time the Application will be decided. In the event, the Application is decided in favour of the Applicant and he is granted two weeks' period that he is seeking, he will not surrender until 10th September 2004. In the event, the Application is rejected, the Applicant will have to surrender on 3rd September 2004. It will be for the Respondents to decide as to how this period should be treated either as furlough or parole.

4. The Application is allowed in the aforesaid terms.

5. All parties will act on an authenticated copy of this order.

[H.L.GOKHALE,J.]

[SMT.V.K.TAHILRAMANI,J.]